THE HON'BLE SMT. JUSTICE T.MEENA KUMARI
AND
THE HON'BLE SRI JUSTICE G.CHANDRAIAH

W.P.NO.6149 OF 2007

O R D E R (Per the Hon'ble Smt. Justice T.Meena Kumari)

Heard Sri M.Venkatram Reddy counsel for the petitioner and the Government Pleader for Services – I and Sri D.Balakishan Rao counsel for unofficial respondent no.4.

2. Aggrieved by the order dated 21.12.2006 passed by the Andhra Pradesh Administrative Tribunal, Hyderabad in O.A.No.5868/2004 in dismissing the O.A. filed by the writ petitioner questioning the promotion of the unofficial respondent as Senior Assistant, the present writ petition is filed.

3. From the material available on record it could be seen that the petitioner who was appointed as Junior Assistant on 8.12.1993, is questioning the promotion of the unofficial respondent as Senior Assistant vide proceedings of the District Educational Officer, Hyderabad in Rc.No.138/CVI/Promotion/2004 dated 28.2.2004. The unofficial respondent was initially appointed as Attender and later after acquiring qualification of S.S.C. and Typewriting English Lower, was promoted as Typist in August, 1993 and by the proceedings of the year 2004 referred to above, he was promoted as Senior Assistant. The grievance of the writ petitioner is that the unofficial respondent does not possess the requisite qualification for the post of Typist and hence, he cannot be promoted as Senior Assistant. As rightly found by the Tribunal, the unofficial respondent was promoted to the post of Typist in the year 1993, i.e., even prior to the appointment of the writ petitioner and further the petitioner who was appointed in the year 1993, did not question the promotion of the unofficial respondent as Typist till he

was promoted as Senior Assistant in the year 2004. As the unofficial respondent was working as Typist and possessed the requisite qualification for promotion to the post of Senior Assistant, the Tribunal rightly held that the action of the respondents in promoting the unofficial respondents to the post of Senior Assistant cannot be said to be bad in law and accordingly dismissed the O.A.

4. Hence, having regard to the facts and circumstances and the reasoned order of the Tribunal, we do not find any merit in the writ petition and the same is dismissed. No costs.

T.MEENA KUMARI,J

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G.CHANDRAIAH,J

AVS
DATE:15.11.2007